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SUMMARY RECORD OF THE 72nd MEETING

Chairman: Mr. DINU (Romania)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 123: FINANCING OF THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA (continued) (A/47/733/Add.1 and A/47/982)

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AGENDA ITEM 124: ADMINISTRATIVE AND BUDGETARY ASPECTS OF THE FINANCING OF THE UNITED NATIONS PEACE-KEEPING OPERATIONS (continued) (A/47/990)

1. Mr. HOSANG (Acting Controller), replying to questions raised during informal consultations, said that, with regard to the United Nations Transitional Authority in Cambodia (UNTAC), overexpenditures in respect of monthly subsistence allowance for civilian police had totalled approximately $13 million. As explained in paragraph 5 of the financial performance report for the period from 1 November 1991 to 30 April 1993 (A/47/733/Add.1, annex II), the original estimates had been calculated on the assumption that the civilian police would be provided with accommodation. However, as the prefabricated housing units had not been delivered on time, the monthly subsistence allowance rates, which would otherwise have been reduced, had had to be increased. Civilian police and international civilian personnel received the same monthly subsistence allowance.

2. There had also been an overrun in travel costs for international staff. The original estimates had not provided for round-trip air travel and daily subsistence allowance for the international polling station officers, who numbered approximately 1,200. Those costs had amounted to $5 million, which accounted for most of the overexpenditure of $5.2 million. The average cost of round-trip travel, including daily subsistence allowance, was estimated at $4,200. While it might be less expensive to utilize charter flights, all travellers would then be required to assemble in one location, an arrangement which could not be made for the international polling station officers.

3. With regard to the hourly charge for helicopter rentals, the Mi-26 was the only helicopter which could lift up to 20 tons, making it almost equivalent to the C-130 Hercules aircraft. The Mi-26 had been used extensively in the mission area because of a lack of suitable airfields in the country. In comparison, the Chinook helicopter, which could lift only 12 tons, would cost from $6,000 to $8,000 per hour.

4. With regard to the claims for death and disability compensation, it was difficult to estimate the magnitude of such claims, which were usually based on a country's national regulations on the subject. Currently, there was no upper limit on claims for reimbursement to Governments for troop deaths; the matter was under study. The average payment to locally recruited UNTAC staff was

(Mr. Hosang)

$7,200 per year. During the past year, in respect of UNTAC, two claims for death benefits had been submitted from two countries, totalling $50,000 and $45,537, respectively. In respect of the United Nations Protection Force (UNPROFOR), one country had submitted claims ranging from $120,000 to $140,000.

5. Turning to the question of cost comparisons for United Nations Volunteers, he said that the average cost for UNTAC Volunteers was $3,000 per month. For the United Nations Operation in Mozambique (ONUMOZ), the average cost was $4,500 per month. The costs were determined by the United Nations Development Programme (UNDP) and depended on the Volunteers' salaries, travel costs and support costs. The monthly salary was approximately $1,200, with an additional settlement grant of $900.

6. With regard to public information programmes, the original estimate for contractual services had involved the hiring of 30 staff members at an all-inclusive cost of $100,000 per person, totalling $3 million. Instead, UNTAC had opted to hire 12 international staff at a cost of $150,000 per person, for a total of $1.8 million, resulting in savings of $1.2 million.

7. While the view had been expressed that local salaries appeared to be high, and that it was surprising that the Secretariat should be considering the payment of ever higher salaries, the increase of 16 per cent had been approved by the Allowances and Benefits Unit of the Office of Human Resources Management, which was responsible for setting the salary scales.

8. Concerning the disposition of assets, the first stage of the liquidation phase was under way. A committee had been set up within UNTAC to review disposition requests, and guidelines had been established. The second stage would commence shortly and would probably continue until the end of 1993 or early 1994.

9. As to the cost of the prefabricated buildings, UNTAC had purchased turnkey units, complete with fixtures and fittings. The turnkey operation had resulted in economies of scale, as the smaller units were usually more costly per person. To his knowledge, there had been no irregularities in the procurement of the units. It should be noted that the lowest tender was not always accepted, since other factors, such as delivery dates, determined the choice of contractors.

10. With regard to the transfer of UNTAC property to other missions, 106 vehicles had been transferred to the United Nations Operation in Somalia (UNOSOM), 211 to ONUMOZ and 30 to UNPROFOR. As indicated in paragraph 36 of the report on the financial performance of ONUMOZ for the period from 15 October 1992 to 30 June 1993 (A/47/969), 11 minibuses were to have been purchased locally; however, as that had not proved feasible, a total of 211 minibuses had been transferred from UNTAC.

11. Concerning the erroneous purchase of 850 minibuses, as detailed in annex XLI of document A/47/733/Add.1, competitive bids had been obtained for the supply of the vehicles. As to the fact that the Assistant Secretary-General for General Services had been informed subsequently of what had happened, it was only because an error had been made that that official had had to be involved.

(Mr. Hosang)

Purchases of equipment for the Organization were handled by the Contracts Committee and the Commercial, Purchase and Transportation Service of the Office of General Services; the personal approval of the Assistant Secretary-General for General Services was not normally obtained for such purchases. A team of three consultants had been entrusted with the task of determining whether there had been any impropriety in the procurement of the vehicles. The exchange rate of the United States dollar to the Japanese yen had been more favourable at the time when the vehicles had been purchased, so that a delay in procurement would have resulted in an increased expenditure.

12. As to the Secretariat's response to the views expressed by the Advisory Committee on Administrative and Budgetary Questions (ACABQ) regarding the disposition of assets, the Advisory Committee concurred with the views outlined in paragraph 2 of the note which the Controller had sent to it (A/CN.1/R/1172), underscoring the importance of making maximum use of assets in new missions before disposing of any surplus. With regard to the chronological link between the discussions in the General Assembly and the actual disposition of the assets, UNTAC would need either to dispose of its property at the time when its troops were withdrawn, or to arrange for security and storage space for the vehicles and equipment in Cambodia.

13. Turning to UNOSOM, he said that complete reports on troop strengths since the inception of the mission had now been received. Reimbursements to troop-contributing countries for UNOSOM I had been made up to the end of April 1993. Reimbursements for UNOSOM II, however, had not been made, owing to a shortage of cash; the matter was under review.

14. With regard to the temporary increase in troop strength mentioned in paragraph 74 of document S/26317, plans had been made to deploy a new brigade, consisting of 3,000 troops, in late September. It was his understanding that the additional brigade was to be supplied by the Government of Egypt. At the same time, the planned deployment of the Indian, Ugandan and Zambian contingents, totalling 5,800 troops, would be delayed for approximately three months.

15. A report on the Secretariat's plans for dealing with delays arising from administrative, financial and logistical procedures, as referred to in paragraph 77 of document S/26317, was currently in preparation and would be submitted in due course.

16. Concerning the difference in the cost of the fragmentation jackets purchased for UNOSOM and for ONUMOZ, the UNOSOM jackets had had to be bullet-proof, which was the reason for the additional cost.

17. With regard to the hourly rental charges for the Ever-21 and Bell-21 helicopters, the figure for the Bell-21 aircraft should have been $1,495 per hour, not $960 per hour. Of the six Bell-21 helicopters, only two were of the all-weather type, whereas all the Ever-21 aircraft were of that type; hence, the latter had been selected for the period from 1 September to 31 December 1993.

(Mr. Hosang)

18. Turning to the report on the financing of UNPROFOR (A/47/741/Add.1), he said that in paragraph 50 (c), the General Assembly was requested to authorize and apportion an amount of $227,584,900 gross ($226,132,800 net), inclusive of the amount of $141,193,575 gross ($139,477,002 net) authorized with the prior concurrence of the Advisory Committee. As a part of that amount had already been assessed, the amount that was actually to be appropriated was equal to the difference between the later and the earlier figures, or $86,391,325 gross ($86,655,798 net). The reason why the net figure was higher than the gross was that the earlier amount had been assessed and calculated using different standard rates and vacancy factors. In the preparation of document A/47/741, version 38 of the standard salary costs and a vacancy factor of 35 per cent had been used, whereas in the addendum to that report, version 42 of the standard salary costs and a vacancy factor of 40 per cent had been used.

19. With regard to ONUMOZ, a question had been raised as to why a monthly subsistence allowance had been paid to the military observers when Governments were responsible for the full cost of their services. The obligations of the United Nations in respect of military personnel provided to peace-keeping operations were outlined in document A/45/217. Paragraph 9 of that document provided that the United Nations would pay an observer's travel expenses to and from and within the mission area, together with a daily subsistence allowance to cover local living costs. The observer's basic salary and other entitlements remained the responsibility of the contributing Government.

20. As to the question concerning the steps in the budget process, technical missions were sent out prior to the Secretary-General's report to the Security Council proposing the establishment of a mission. Once the mission had been established, the Field Operations Division and the Department of Peace-keeping Operations, including the Military Adviser's Office, coordinated the requirements for the plan of action worked out by the Department of Peace-keeping Operations and submitted cost estimates to the Controller. Those estimates were then reviewed and changed, if need be, by the Peace-keeping Financing Division, and recommendations were made to the Controller concerning the elements to be presented in the Secretary-General's report. The preparation of that report and the establishment of the mission by the Security Council could take from four to six weeks. After the presentation of the final draft to the Advisory Committee, further time would be required for translation, printing and distribution.

21. Replying to the question concerning the possibility of offsetting the amounts owed to troop contributors against the assessments for new missions, he said that such an arrangement could not be made unless there was cash in the special mission accounts which could be used for payments. If the latter condition was met, Governments could request that their payments be offset against the amount of their assessed contributions.

22. With regard to the basis for the payment of death and disability benefits to civilian police and election observers, the terms and conditions covering the participation of civilian personnel in United Nations peace-keeping operations were set out in document A/45/502.

(Mr. Hosang)

23. Lastly, information on the new effort being made to recruit international contractual personnel was still being compiled and would be provided at a later date.

24. Mr. BOIN (France) said that the inadvertent purchase of 850 minibuses, at a cost of $6.25 million, related to the question which he had raised earlier, concerning the delegation of authority to enter into contracts on behalf of the Secretariat. Although references had been made to the need for transparency and accountability in that area, the situation appeared to be characterized by vagueness and misunderstanding. His delegation wished to know who had signed the contracts for the purchase of the vehicles, and whether the Contracts Committee was responsible. It was difficult to believe that the Chief of the Commercial, Purchase and Transportation Service and the Assistant Secretary-General for General Services would not be required to authorize contracts involving such large sums. He would also appreciate clarification of the Acting Controller's statement regarding the possibility that assessments would be calculated after deduction of all or part of the Organization's obligations to troop contributors. If his understanding of that proposal was correct, it did not appear to be designed to solve the Organization's financial crisis.

25. Mr. HOSANG (Acting Controller) said that the function of the Contracts Committee was to ensure that a proposal made by a requesting office was in the best interests of the United Nations. The Contracts Committee examined all the details pertaining to requests for bids, the bids submitted and the reasons for the award of a contract to a particular firm. Once a contract had been negotiated, it became the concern of the Commercial, Purchase and Transportation Service of the Office of General Services.

26. The purchase of the minibuses had been the result essentially of garbled communication. The buses had been intended to transport voters to and from the polling stations. The procurement requests had been drawn up and submitted in advance of when they would be needed, taking into account the lead time required. In the meantime, developments in the situation in Cambodia had eliminated the need for the buses. However, the documents had been processed before that had become clear.

27. The French representative's understanding was incorrect. The possibility of offsetting debts against assessments arose only where the Organization had enough cash to pay its bills to Member States. It was only at that point that Governments could ask to have amounts owed to them credited against their assessed contributions for new missions.

28. Mr. BOIN (France) said that, while he appreciated the additional information provided by the Acting Controller, he would still be grateful for an answer to his question concerning the delegation of authority to sign contracts, a matter which was of the utmost importance to his Government.

29. Mr. MERIFIELD (Canada) said that his delegation appreciated the information provided by the Acting Controller concerning the higher estimated cost for helicopter rentals in the UNTAC budget. His delegation trusted that the figure shown was the maximum estimate and that economies would be sought. In addition,

(Mr. Merifield, Canada)

it was his understanding that there was no infrastructure in Cambodia to support the operation of aircraft according to instrument flight rules (IFR) and that, accordingly, IFR aircraft were not necessary.

AGENDA ITEM 155: FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 (continued) (A/47/980 and A/47/1002)

30. Mr. FLEISCHHAUER (Under-Secretary-General, The Legal Counsel), replying to the questions raised, said that he did not believe that the Secretary-General, in proposing article 32 of the Statute of the Tribunal in his report submitted pursuant to paragraph 2 of Security Council resolution 808 (1993) (S/25704), or the Security Council, in adopting its resolution 827 (1993), had taken a decision arbitrarily to allocate the financing of the Tribunal to the regular budget instead of to the peace-keeping account, thus encroaching upon the General Assembly's competence. Rather, the proposals by the Secretary-General and the Security Council were the logical consequence of the nature of the Tribunal established by resolution 827 (1993).

31. The legal basis on which the Tribunal was established, namely, Chapter VII of the Charter of the United Nations, was exceptional. As indicated in paragraph 23 of document S/25704, Chapter VII had been chosen as the basis for the establishment of the Tribunal because that was the only way in which, under the circumstances, the Tribunal could be established rapidly.

32. That the Tribunal must be established rapidly was generally recognized, both by Governments and by public opinion. The fact that the Tribunal was established under Chapter VII of the Charter made it a subsidiary organ of the Security Council. However, that did not automatically mean that the Tribunal must be financed on the same basis as the peace-keeping operations. There were a number of subsidiary organs of the Security Council which were not financed from the peace-keeping account, and the fact that resolution 827 (1993) establishing the Tribunal had been adopted under Chapter VII did not make the Tribunal a peace-keeping operation. In fact, the Tribunal bore no resemblance to a peace-keeping operation. While its purpose was related to the re-establishment of peace and security, it performed the normal judicial functions of a civilian criminal court. Its functions were to be performed independently of political considerations; it would not be subject to the authority or control of the Security Council with regard to the performance of its judicial functions; and it was to adjudicate according to rules of law. All those considerations were set out in paragraph 28 of document S/25704.

33. In complying with the request that his report on the matter should cover "all aspects of the problem", the Secretary-General had included information on the financial aspects of the Tribunal. Moreover, the budgetary aspect had to be explained clearly in order to dispel any doubts about the nature of the Tribunal. Reference had been made to Article 17 in order to provide an assurance that the competence of the General Assembly had not been encroached upon.

34. Mr. MADDENS (Belgium), speaking on behalf of the European Community and its member States, confirmed the European Community's unconditional support for the establishment of the International Tribunal. Financing the Tribunal was a key factor in its rapid establishment. The European Community therefore favoured financing the Tribunal on the basis of assessed contributions. The costs of the Tribunal should be apportioned according to the scale of assessments for the regular budget.

35. Mr. SENGWE (Zimbabwe) expressed concern that the Security Council had exceeded its authority in taking a decision on the financing of the Tribunal. In the past, such decisions had always been taken by the General Assembly but, as noted by the Advisory Committee in its report (A/47/980, para. 3), the matter had not come before the Assembly. It was difficult to maintain that the Tribunal was not really a peace-keeping operation and therefore should be included in the regular budget. The Tribunal was an ad hoc institution - not a permanent feature of the Organization - and it should be financed accordingly. His delegation strongly believed that a peace-keeping scale of assessment should be applied.

36. Mr. DUHALT (Mexico) asked the Legal Counsel to indicate whether all the provisions of Article 17 of the Charter had been complied with. The Security Council had adopted the Statute of the Tribunal without allowing the General Assembly any say in how the Tribunal would be financed, even though Article 17 of the Charter ascribed an important, specific role to the General Assembly in that area. His delegation wished to know the technical justification for including the expenses of the Tribunal in the regular budget and asked whether a detailed breakdown would be provided.

37. Mr. FRANCIS (Australia) asked whether the General Assembly was required to appropriate and assess the cost of an activity mandated by the Security Council according to Member States' capacity to pay.

38. Miss MANTILLA (Ecuador) said that her delegation welcomed the establishment of the Tribunal, although it had certain reservations concerning the legal procedure under which it had come into being. Her delegation hoped that the General Assembly would elect the judges of the Tribunal at the earliest possible date. Her delegation had taken note of the Secretary-General's statement that the Tribunal was a subsidiary organ of the Security Council and was not analogous to a peace-keeping operation. The philosophical and legal implications of that assertion gave cause for concern. The establishment of the Tribunal could not be divorced from the context in which the Security Council decision had been taken, namely the maintenance of international peace and security. Her delegation disagreed with the statements concerning financing in both the report of the Secretary-General and the Security Council resolution. Under the Charter of the United Nations, a decision on the financing of the Tribunal should be taken by the General Assembly. Under no circumstances should the matter be decided by the Security Council. The Fifth Committee should give special consideration to the financing of the Tribunal on an exceptional basis, having regard to its sui generis nature, and should specify that the arrangement adopted should not constitute a precedent.

39. Mr. FLEISCHHAUER (Under-Secretary-General, The Legal Counsel), replying to the Mexican representative, said that, in his view, the Statute of the Tribunal did comply with all the provisions of Article 17 of the Charter. The Secretary-General and the Security Council had not acted arbitrarily, but rather had borne in mind the nature of the Tribunal. While the Tribunal was established under Chapter VII and was indeed ad hoc, there was nothing extraordinary about it. It was not a military tribunal but rather a civilian tribunal that would render justice in accordance with the normal procedures of a civilian court. At the forty-eighth session of the General Assembly, the Secretariat would present to the Fifth Committee a detailed budgetary proposal for the operation of the Tribunal, which would include the costs of all phases of the Tribunal's work from investigation to the execution of judgement. Additional requirements would be presented in the standard format.

40. The question asked by the representative of Australia did point up a source of potential conflict. The Charter of the United Nations provided for important decisions to be taken by both the General Assembly and the Security Council, but gave the General Assembly exclusive authority for budgetary matters. That could lead to a situation where the Security Council might adopt a measure for which financing would then be withheld by the General Assembly. To his knowledge, such a conflict had never arisen and presumably it never would as long as balance was maintained between the two main organs of the United Nations. He wished to inform the Ecuadorian representative that preparations for the election of judges were proceeding according to schedule. Many nominations had been submitted just before the 3 August deadline. The Security Council would draw up a short list from among 40 candidates and submit it to the General Assembly for elections during the forty-seventh session. The situation in Bosnia and Herzegovina was, in every sense, exceptional and the fact that an exceptional institution had been established to deal with it would not set a precedent with regard to either financing or the institution itself.

41. Mr. HALBWACHS (Director, Office of Programme Planning, Budget and Finance), replying to the technical question raised by the Mexican representative, said that a proposal would be submitted to the Fifth Committee to include the expenses of the Tribunal in a new section of the regular budget.

42. Mr. CLAVIJO (Colombia) said that while the Fifth Committee often considered the financial aspects of agenda items allocated to other main committees, it was always careful to adhere strictly to its specific mandate and not take decisions on political matters. The Legal Counsel's explanation made it plainer than ever that the Security Council's opinion should not have been reflected in the form of a Statute, but rather in some other, more appropriate form, such as a proposal or recommendation to be submitted for a decision by the General Assembly. It was regrettable that the Secretariat had not risen to the defence of the established division of powers in the Organization. It should have reaffirmed the mandate of the General Assembly in financial matters.

43. When the General Assembly did take a decision on the financing of the Tribunal, it could resolve technical matters, such as the scale of assessment to be applied and the account to which it would be posted. Since the Tribunal was an ad hoc institution and did not constitute a precedent, the peace-keeping scale could be applied without necessarily resorting to the use of a peace-keeping account. Similarly, the regular scale of assessment could be

(Mr. Clavijo, Colombia)

applied without necessarily including the expenses of the Tribunal in the regular budget. For the time being, however, it was necessary to reaffirm the mandate of the General Assembly for the finances of the Organization.

44. Mr. RAE (India) expressed surprise at the statement by the Director of the Office of Programme Planning, Budget and Finance. The establishment of a separate section of the regular budget to finance the expenses of the Tribunal pre-empted a decision by the Assembly. It was not clear why Article 32 of the Statute of the Tribunal referred to the "regular" budget when the form of financing was a matter to be decided by the General Assembly. The suggestion made by the representative of Brazil at a previous meeting, to the effect that the expenses of the Tribunal should be determined in accordance with Article 17 of the Charter, would have satisfactorily addressed the concerns expressed in the note by the Secretary-General (document A/47/1002). There was no need to specify the nature of the financing in the Statute itself. The Legal Counsel's explanation as to why the expenses of the Tribunal should be included in the regular budget should be submitted to the General Assembly for its decision. However, the Secretariat could not assume that the Assembly would automatically support it.

45. He appreciated that the Tribunal would function as a civilian court, but that was not the only determinant of whether an item should be included in the regular budget. Financing arrangement was also determined by which body had taken the decision to establish the Tribunal. For example, the preambular paragraphs of all General Assembly resolutions on the financing of peace-keeping took into account the special responsibilities of the Security Council, particularly its permanent members, in that regard. Furthermore, if the Tribunal was not to establish a precedent and truly was unique, it should have been discussed in great detail. A discussion of the question by the General Assembly could not be pre-empted by stating that it would be incorporated in the regular budget simply because it was unique. In fact, Security Council resolution 687 (1991) was very similar in nature to Security Council resolution 827 (1993). Both were based on Chapter VII of the Charter, both concerned the maintenance of international peace and security and both established subsidiary organs of the Security Council. The difference was that resolution 687 (1991) (paras. 18 and 19) provided for the peace-keeping scale of assessment to be applied to financing the Compensation Commission while resolution 827 (1993) automatically included the Tribunal in the regular budget.

46. Mr. NDOBOLI (Uganda) supported the Indian and Colombian statements. His delegation agreed with the Legal Counsel that it was crucial to avoid a situation of conflict between decision-making bodies of the Organization. However, that situation could be avoided only if the decision-making bodies acted within their spheres of competence. As the Indian representative had pointed out, the Security Council was pre-empting a decision by the General Assembly.

47. Mr. DUHALT (Mexico) said that his delegation, like the Colombian delegation, was concerned about the delimitation of the respective spheres of competence of United Nations organs and compliance with the procedures established under the Charter. Even after hearing the Legal Counsel's opinion,

(Mr. Duhalt, Mexico)

it was not convinced that the procedures implicit in Article 17 of the Charter had been strictly complied with. The General Assembly had not taken any decision on the financing of the Tribunal - in fact, it was only just becoming aware of the issue - and yet the adoption of a Statute precluded any further decision-making about financing. His delegation was therefore concerned not about the Security Council's ability to take action or whether its action had been arbitrary, but rather about legal procedure.

48. Mr. FLEISCHHAUER (Under-Secretary-General, the Legal Counsel), responding to the concerns expressed by the representative of India regarding the inconsistency between arrangements for the Tribunal and those for the Compensation Commission, said that, while it was true that there were formal similarities between the two bodies, there was also a significant difference in their mandates. Unlike the Compensation Commission, the Tribunal was a criminal court, a fact which justified the different approach to financing adopted by the Secretary-General and the Security Council.

AGENDA ITEM 117: FINANCING OF THE UNITED NATIONS ANGOLA VERIFICATION MISSION (continued) (A/47/744 and Add.1 and A/47/925)

49. The CHAIRMAN recalled that, in view of the changes in the operational plan of the United Nations Angola Verification Mission (UNAVEM II) and the need to revise the report of the Secretary-General on the financing of UNAVEM II (A/47/744), the General Assembly had, by decision 47/450 B of 8 April 1993, decided to authorize the Secretary-General to enter into commitments up to the amount of $3.5 million gross ($3.4 million net) for the operation of UNAVEM II for the period from 1 March to 30 April 1993, subject to the concurrence of ACABQ. As an ad hoc arrangement, the amount decided upon by ACABQ would be apportioned among Member States in accordance with the scheme set out in General Assembly resolution 47/224 A of 16 March 1993.

50. A revised report on the financing of UNAVEM II (A/47/744/Add.1) had been submitted to the General Assembly on 26 March 1993 and the related report of the Advisory Committee (A/47/925) had been issued on 14 April 1993. The Secretary-General had indicated the actions required of the General Assembly in connection with the financing of UNAVEM II in paragraph 24 of his report. In its report, the Advisory Committee had concurred with the request of the Secretary-General. However, due to its heavy workload, the Fifth Committee had not been able to take any action on the matter.

51. The mandate of UNAVEM II having been extended by Security Council resolution 823 (1993) until 31 May 1993, by Security Council resolution 834 (1993) until 15 July 1993, and by Security Council resolution 851 (1993) until 15 September 1993, the Secretary-General had sought and received commitment authorization from the Advisory Committee for the extension of the UNAVEM II mandate for a total amount of $5,948,650 gross ($5,723,950 net) for the period 1 May to 15 July 1993 only. The request to the Advisory Committee for a commitment authority in the amount of $3,882,300 gross ($3,724,100 net) for the maintenance of UNAVEM II for the period from 16 July to 15 September 1993, which was made under the provisions of General Assembly resolution 46/187 concerning unforeseen and extraordinary expenses for the

(The Chairman)

biennium 1992-1993, had not been acted upon pending the resumption of the General Assembly.

52. In the light of the negotiations currently being conducted by the Special Representative of the Secretary-General between the Government of Angola and the National Union for the Total Independence of Angola (UNITA) aimed at seeking a solution to the Angolan crisis and the full implementation of the Peace Accords, he proposed that the Fifth Committee recommend to the General Assembly the following draft decision:

"The General Assembly decides:

(a) To appropriate the amount of $9,830,950 gross ($9,466,050 net) consisting of:

(i) The amount of $5,948,650 gross $5,723,950 net) authorized by the Advisory Committee on Administrative and Budgetary Questions for the period from 1 May to 15 July 1993; and

(ii) The amount of $3,882,300 gross ($3,742,100 net) requested by the Secretary-General for the period from 16 July to 15 September 1993;

(b) To apportion the amount indicated in paragraph (a) above among Member States in accordance with paragraphs 7 and 8 of resolution 47/224 A of 16 March 1993;

(c) To authorize the Secretary-General to enter into commitments up to the amount of $1,942,000 gross ($1,871,900 net) per month for the continued maintenance of UNAVEM II for the period after 15 September 1993, subject to the concurrence of the Advisory Committee on Administrative and Budgetary Questions, should the Security Council decide to extend the mandate of UNAVEM II beyond 15 September 1993. As an ad hoc arrangement, the amount decided upon by the Advisory Committee should be apportioned among Member States in accordance with the scheme set out in General Assembly resolution 47/224 A of 16 March 1993."

53. Mr. SPAANS (Netherlands) said that he had difficulty understanding the basis for the amounts to be appropriated by the General Assembly under the draft decision. For example, he wondered what had happened to the appropriation of $25.2 million requested by the Secretary-General and to the proposal concerning the unencumbered balance of the appropriations. It was moreover unclear what basis had been used in calculating the amounts of $5.9 million and $3.8 million, and the monthly rate of $1.9 million, which was lower than that proposed in paragraph 24 of the report of the Secretary-General. In addition, no decision had been taken to delegate authority to the Advisory Committee to enable it to grant commitment authority and he would welcome details of the correspondence between the Secretary-General and the Advisory Committee regarding the amounts that had been authorized.

54. On the question of the apportionment of the expenses, he noted that the membership of the Organization had increased recently and that it was customary

(Mr. Spaans, Netherlands)

to include a paragraph concerning the assessment of new Members' contributions. He was also concerned that, under paragraph (c) of the draft decision, the Secretary-General would be authorized to enter into commitments for the continued maintenance of UNAVEM II after 15 September 1993. That would certainly be a sensible option if the General Assembly was not in session. However, the General Assembly would be in session after 15 September 1993 and it would therefore be more appropriate to replace the references to the Advisory Committee in paragraph (c) with references to the General Assembly.

55. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) referred the Committee to the statement he had made on the subject at its 68th meeting.

56. Mr. MERIFIELD (Canada) said that, as he understood it, the most recent General Assembly decision on the subject had authorized expenditure up to 30 April 1993 only and that after that date the commitment authorities were not subject to a General Assembly resolution relating only to UNAVEM. The Committee's most recent decision had been that the amount could be assessed if the unencumbered balance available was not sufficient to finance the extension. He would therefore like to know the status of the unencumbered balance as at 30 April 1993 and the status of assessed contributions, in order to determine how large an assessment would be necessary. Before taking a decision, it would be useful if a more up-to-date table could be provided giving details of expenditure for the period from May to July and cost estimates for the amounts the Committee was being asked to approve.

57. Mr. SPAANS (Netherlands) said that it was now clear that the amount referred to in paragraph (a) (i) of the draft decision included the $2.5 million net mentioned in paragraph 13 of the Advisory Committee's report and that the amounts referred to in paragraph (a) (ii) should now be considered as an oral request from the Secretary-General to the General Assembly for an appropriation. The implication of his earlier remarks regarding paragraph (c) of the draft decision was that it should be deleted for the time being, if the Committee agreed. He supported the request by the representative of Canada for more detailed tables to be made available.

58. Mr. LIN (Office of Programme Planning, Budget and Finance) said that the figures for the unencumbered balance were not available at present but would be provided in due course. As at 31 July 1993, outstanding assessed contributions due from Member States totalled $26.5 million. In addition, at the same date, a loan of $37.9 million was due from UNAVEM, which had borrowed from the Peace-keeping Reserve Fund and the General Fund. The detailed tables requested by the representative of Canada would be provided in due course.

59. The CHAIRMAN said it was his understanding that the Committee was not yet in a position to take a decision on the matter and suggested that it should be discussed in informal consultations.

60. It was so decided.

The meeting rose at 1 p.m.